NO. 83-1588

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1983

VIRGINIA CRAMER,

Petitioner, Plaintiff and Appellant

VS

STATE BAR OF MICHIGAN;
JOHN D. O'HAIR;
WILLIAM LEO CAHALAN;
RICHARD D. KUHN;
H. ROLLIN ALLEN, and All Members
of the State Bar of Michigan
similarly situated,

Respondents, Defendants and Appellees

PETITIONER'S APPENDIX

IN CONJUNCTION WITH

PETITION FOR A WRIT OF CERTIORARI

Virginia Cramer
Pro se Petitioner
27314 Clairview
Dearborn Heights,
Michigan 48127
(313) 278-7286

February 1984

PETITIONER'S APPENDIX
IN CONJUNCTION WITH
PETITION FOR A WRIT OF CERTIORARI

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APPENDIX A

NO. 82-1855
UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

VIRGINIA CRAMER,

Plaintiff-Appellant,

v.

STATE BAR OF MICHIGAN; JOHN D. O'HAIR; WILLIAM LEO CAMALAN; RICHARD D. KUHN; H. ROLLIN ALLEN; ALL MEMBERS OF THE STATE BAR OF MICHIGAN,

Defendants-appellees.

O R D E R

FILED

NOV 21, 1983

BEFORE: KEITH and CONTIE, Circuit Judges; and POTTER,* District Judge

This appeal has been referred to a panel of the Court pursuant to Rule 9(a), Rules of the Sixth Circuit. After examination of the record and briefs, this panel agrees unanimously that oral argument is not needed. Rule 34(a), Federal Rules of Appellate Procedure.

Plaintiff appeals the district court judgments entered July 6, 12 and 20, 1982, which dismissed plaintiff's action against

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* The Honorable John W. Potter, District Judge, Northern District of Ohio, sitting by designation.

all the named defendants. In the proceedings below, the district court found plaintiff's allegations of a civil rights violation to be without merit and also denied the injunctive relief sought by plaintiff. Having carefully examined the record and briefs, this Court concludes the district court did not err in its disposition of this case.

For the reasons stated in the district court memorandum opinion filed July 1, 1982, as amended October 12, 1982, it is ORDERED that the Judgments of the district court be, and they hereby are, affirmed pursuant to Rule 9(d)(2), Rules of the Sixth Circuit.

ENTERED BY ORDER OF THE COURT

/s/ John P. Hehman
Clerk

ISSUED AS MANDATE: DECEMBER 29, 1983

COSTS: NONE

A TRUE COPY
Attest:
JOHN P. HEHMAN, Clerk
By /s/ Linda Brinson
Deputy Clerk

APPENDIX B

NO. 82-1855
UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

VIRGINIA CRAMER, Plaintiff-Appellant, vs STATE BAR OF MICHIGAN; JOHN D. O'HAIR; WILLIAM LEO CAMALAN; RICHARD D. KUHN; M. ROLLIN ALLEN, ALL MEMBERS OF THE STATE BAR OF MICHIGAN, Defendants-Appellees.	FILED DEC 27, 1983 O R D E R

Upon consideration of the appellant's motion to stay the mandate;

IT IS ORDERED that the motion be and hereby is denied.

ENTERED BY ORDER OF THE COURT

/s/ JOHN P. HEHMAN
Clerk

APPENDIX C

NO. 82-1855

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

VIRGINIA CRAMER,

Plaintiff-Appellant,

v.

STATE BAR OF MICHIGAN, et al.,

Defendant-Appellees.

ORDER

FILED
May 4, 1983

This cause comes before the court upon the motion of appellees H. Rollin Allen and the State Bar of Michigan for leave to have filed instanter their brief in the above-captioned appeal.

The court has considered the appellees' motion, and has considered appellant's vigorous opposition thereto.

IT IS ORDERED that the motion be held in abeyance for ten (10) days from the date of this order. If a properly executed corporate disclosure statement pursuant to Rule 25, Rules of the Sixth Circuit, is received from the appellees within that time, the motion to file the brief will be granted

and the appellant allowed fourteen (14) days therefrom to submit a reply brief. Failure to timely file the corporate disclosure statement will result in denial of appellees' motion to file their brief. Appellant's request for punitive and special damages is hereby denied.

ENTERED BY ORDER OF THE COURT

/s/ John P. Hehman, Clerk

May 4, 1983

APPENDIX D

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION-DETROIT

VIRGINIA CRAMER,

Plaintiff,

V.

STATE BAR OF MICHIGAN, ET AL.,

Defendants.

Civil No. 81-73926

FILED 7-1-82

MEMORANDUM OPINION

This matter is before the Court on seven motions filed by the various parties to this action. These motions are:

(1) Plaintiff's motion to amend petition of removal;

(2) Plaintiff's motion for entry of Order to show cause with temporary enjoining order and why preliminary or permanent injunctive order should not issue;

(3) Plaintiff's motion for judgment by default against defendant H. Rollin Allen and all other members of the Michigan State Bar similarly situated;

(4) Defendant State Bar of Michigan's motion for entry of order remanding case to state court;

(5) Defendants Judge O'Hair and Judge Cahalan's motion to dismiss;

(6) Defendant Judge Kuhn's motion to dismiss or for summary judgment; and

(7) Defendants State Bar of Michigan and H. Rollin Allen's motion to dismiss or for summary judgment.

A. Factual Background

The dispute in this action arose out of the attempts of the State Bar of Michigan to enforce an injunction it obtained in 1973 which prohibited Virginia Cramer from engaging in certain acts found to be the unauthorized practice of law. In order to understand the posture of the matter now before the Court, it is necessary to sort through the flurry of pleadings submitted and set forth the chronology of events preceeding the filing of this action.

On September 27, 1972, the State Bar of Michigan filed a complaint in Wayne County

Circuit Court against Harold Graham, Michael Gordon, and Virginia Cramer, individually and d/b/a Gordon-Graham & Cramer Associates, alleging the defendants were engaged in the unauthorized practice of law in violation of MCLA 600.916, MSA 27A.916. State Bar of Michigan v Cramer, et al., Civil Action No. 72-218-571-CZ. On January 5, 1973, a judgment for plaintiff and an order granting injunctive relief against defendants was entered. Virginia Cramer subsequently was found in contempt of that order a number of times, and she appealed the matter, ultimately, to the Michigan Supreme Court. The Supreme Court, in an opinion reported at 399 Mich 116 (1976), affirmed the finding of civil contempt of April 23, 1973 and the January 5, 1973 injunctive order of Judge O'Hair of Wayne County Circuit Court.

On motion of the State Bar of Michigan, orders to show cause why Cramer should not be held in contempt of the January 5, 1973 order were issued on February 17, 1981 by Judge O'Hair and March 13, 1981 by Judge Cahalan.

Cramer failed to appear on April 24, 1981, which was the date noticed. Judge O'Hair issued a bench warrant for her arrest on April 29, 1981.

On May 5, 1981 Cramer filed a motion for writ of mandamus with the Michigan Supreme Court, on grounds unknown to this Court. She filed a motion for a stay with the Supreme Court on May 14 and some sort of supplemental motion on May 28. On June 12, 1981, she filed a motion to quash the arrest warrant with the Supreme Court and asked for certain other relief, also unknown to the Court. Cramer has not supplied the Court with copies of these various motions, only with copies of the orders of the Supreme Court disposing of them in favor of the State Bar.

Cramer was arrested on June 12, 1981 and appeared before Judge O'Hair, who released jer upon her filing a $1,000 cash bond. Judge O'Hair set a hearing on the show cause for June 17, 1981. However, since there were two outstanding warrants for her arrest issued by

Judge Kuhn in Oakland County, Cramer was not released, but was transported to the Oakland County Jail, where she was kept in custody over the weekend until she could appear before Judge Kuhn on June 15, 1981.

On April 4, 1975, Judge Kuhn, an Oakland County Circuit judge, had issued sua sponte an order to show cause why Cramer should not be held in contempt for the unauthorized practice of law in the case of Seaholm v Seaholm, Civ. No. 74-114-277-DO. Cramer was personally served with the order. When she failed to appear on the noticed date, Judge Kuhn issued a bench warrant on April 9, 1975. Judge Kuhn issued a second order to show cause in Horn v Horn, Civ. No. 75-121954-DO on May 8, 1975. Cramer would not accept personal service, so the Judge ordered substituted service. Cramer again failed to appear on the noticed date, so Judge Kuhn issued another bench warrant on July 24, 1975. These two cases were divorce cases before Judge Kuhn where it came to his attention that Cramer

had rendered some type of assistance to the parties. Cramer appeared before Judge Kuhn on the outstanding bench warrants on June 15, 1981. Judge Kuhn released her after examining her.

On June 17, 1981, Cramer appeared before Judge O'Hair for the hearing on the order to show cause. She questioned the jurisdiction of the court to issue the order claiming that State Bar of Michigan v Cramer was last heard in the Michigan Supreme Court, and since the case had not been remanded, the State Bar would be required to initiate new proceedings to pursue the matter. Judge O'Hair ordered the State Bar to file an amended motion which set forth specific allegations of misconduct that it intended to prove, and adjourned the contempt hearing to August 11, 1981.

On June 26, 1981, the Michigan Supreme Court denied Cramer's complaint for mandamus and other relief. On July 13, 1981, she filed a motion to quash service of the March 13, 1981 order to show cause in Wayne County Circuit Court, claiming that the court had no

jurisdiction to issue the order to show cause or the bench warrant. On July 21, 1981 Judge O'Hair sent Cramer a letter denying her motion. On July 28, 1981, the Michigan Supreme Court denied Cramer's motion for superintending control.

On August 11, 1981 Judge O'Hair found Cramer in contempt of court for violating his January 5, 1973 order, after conducting a hearing on the matter in which Cramer participated. He ordered her to pay back the money she had received from her "client" and ordered that if she violated the January 1973 order again after August 11, 1981, she would be required to spend 30 days in Wayne County Jail as a deterrent to further violations of the court's order. Cramer would not approve the proposed judgment submitted by the State Bar, so its counsel noticed a hearing on a motion for entry of judgment for October 30, 1981. Cramer filed this federal action on October 21, 1981. None of the parties has indicated whether an order was ever entered by Judge O'Hair finding Cramer in contempt, although

it is clear that he did so on the record at the hearing on the show cause on August 11.

B. Petition for Removal and Federal Complaint

On October 21, 1981, plaintiff filed a 'petition for removal' of State Bar of Michigan v Cramer, supra. There are a number of reasons why plaintiff's attempted removal of the state action filed against her in 1972 cannot be sustained. First of all, plaintiff has not complied with the statutory requirements of 28 USC 1446 to establish a basis for federal removal jurisdiction. Section 1446(b) requires that the state action must be removed within 30 days of the receipt of the pleading or order rendering the action removable. Plaintiff's complaint and petition for removal appear to challenge the constitutionality of the issuance of the orders to show cause why whe should not be held in contempt and the bench warrants by Judges O'Hair and Kuhn. Judge O'Hair issued the bench warrant at issue on April 29, 1981. Cramer was arrested and appeared before Judge O'Hair on June 12, 1981. Judge Kuhn issued the show

causes and bench warrants at issue in 1975. If for no other reason, plaintiff's attempt to remove State Bar of Michigan v Cramer fails because of untimeliness.

However, a more basic defect exists to defeat plaintiff's attempt to remove the state action. The 1973 judgment of the Wayne County Circuit Court against her was made final by the order of remittitur entered by the Michigan Supreme Court on January 20, 1977. It is, therefore, res judicata, and this court has no authority to review that judgment. Mestice v McShea, 201 F 2d 363, 364 (3d Cir. 1953). For these reasons, plaintiff's motion to amend her petition for removal will be denied.

Remand to Wayne County would be pointless, as final judgment has been entered in the 1972 action, so dismissal would be a more appropriate remedy for the improvident removal of this action. However, in addition to her petition to remove the 1972 state action, plaintiff has filed a separate complaint, captioned Virginia Cramer v The State Bar of

Michigan, et al., in which she has made adequate assertions of federal question jurisdiction. Named as defendants in her complaint are the State Bar of Michigan, Wayne County Judges John D. O'Hair and William Cahalan, Oakland County Circuit Judge Richard D. Kuhn, H. Rollin Allen, counsel for the State Bar of Michigan, and "All Other Members of the State Bar of Michigan similarly situated." She alleges in her complaint that she was arrested and imprisoned falsely in violation of the 1st, 4th, 5th, 6th and 14th amendments and 42 USC 1983, 1985 and 1986. She seeks injunctive relief and monetary damages and has demanded a jury trial.

More specifically, plaintiff claims that the Wayne County and Oakland County Courts lacked jurisdiction to order her to show cause why she should not be held in contempt and to issue bench warrants enforcing such orders. She claims they lacked jurisdiction because the Michigan Supreme Court had not remanded State Bar of Michigan v Cramer for any further proceedings after rendering its

decision in 1976. She further asserts that the orders and bench warrants were issued without probable cause. She claims that she suffered mental humiliation and anguish because of the alleged false imprisonment and rude treatment while in custody.

C. Motions to Dismiss or for Summary Judgment

Since plaintiff must show a "strong or substantial likelihood or probability of success on the merits" to obtain the preliminary injunctive relief she seeks, the Court first will turn to the various defendants' motions to dismiss to determine whether they have merit. Mason County Medical Ass'n v Knebel, 563 F 2d 256, 261 (6th Cir. 1977); Friendship v Michigan Brick, No. 80-1018 (6th Cir. slip op. May 26, 1982). Prior to a discussion of defendant's motions, however, the Court notes that H. Rollin Allen filed a motion to dismiss jointly with the State Bar of Michigan on November 17, 1981, four days after the clerk's entry of default and only 26 days after being served with plaintiff's complaint. The Court deems this a timely

responsive pleading and therefore will deny plaintiff's motion for a default judgment against Allen and will set aside the clerk's entry of default. Fed. R. Civ. P. 55 (c).

1. Judges O'Hair and Cahalan's Motion to Dismiss

Wayne County Circuit Court Judges O'Hair and Cahalan have filed a joint motion to dismiss plaintiff's claims against them as failing to state a claim upon which relief can be granted. The judges claim that they are protected from liability to plaintiff in this action by the doctrine of judicial immunity. The Court agrees and will dismiss plaintiff's claims against these two defendants.

The doctrine of judicial immunity was thoroughly discussed in the case of Stump v Sparkman, 435 U. S. 349 (1978), in which the Supreme Court held that a judge is immune from liability for damages only when he has acted in the "clear absence of all jurisdiction." Id. at 357. More specifically, the court held that:

> "(T)he necessary inquiry in determining whether a defendant judge is immune from suit is determining whether at the time he took the challenged action he had jurisdiction over the subject matter before him. . . . (T)he scope of the judge's jurisdiction must be contrued broadly when the issue is the immunity of the judge. A judge will not be deprived of immunity because the action he took was in error, was done maliciously, or was in excess of his authority; rather, he will be subject to liability only when he had acted in the "clear absence of all jurisdiction."

Id. at 356-57 citing Bradley v Fisher, 13 Wall. 335, 351 (1872). A second consideration in determining judicial immunity is whether the judge was performing a "judicial act."

The court in Stump v Sparkman noted:

> "The relevant cases demonstrate that the factors determining whether an act by a judge is a "judicial" one relate to the nature of the act itself, i.e., whether it is a function normally performed by a judge, and to the expectations of the parties, i.e., whether they dealt with the judge in his official capacity."

Id. at 362

Like the judge in Stump v Sparkman, Judges O'Hair and Cahalan are judges of a court of general jurisdiction of the State of Michigan. Michigan Constitution, art. 6, section 13, MCLA 600.601. Circuit courts in

Michigan have the power to find in contempt of court parties to actions who disobey court orders, MCLA 600.1701(5) and persons who engage in the unauthorized practice of law, MCLA 600.916. Furthermore, courts may assert the contempt power to enforce civil remedies obtained by parties. MCLA 600.1701(11). The State Bar of Michigan had obtained an injunction in the previous state actions against plaintiff from Judge O'Hair in 1973, ordering plaintiff to cease the unauthorized practice of law, which was upheld by the Michigan Supreme Court. In an attempt to enforce this order, the State Bar applied to Judge O'Hair for a show cause why plaintiff should not be held in contempt of his 1973 order. This procedure was in accordance with MCLA 600.1711 and MGCR 760, which provides as follows:

> "For contempts not committed in the the immediate view and presence of the court, upon a proper showing on ex parte motion supported by affidavits, the court shall either order the accused party to show cause at some reasonable time, to be therein specified, why he should not be punished for the alleged misconduct, or shall issue a bench warrant for the arrest of such party."

Issuing an order to show cause why a person should not be held in contempt and a bench warrant certainly are functions normally performed by a judge. Plaintiff clearly knew she was dealing with the defendant judges in their official capacity. The Court therefore finds that in performing the acts plaintiff complains of, Judges O'Hair and Cahalan were acting with jurisdiction and were engaged in judicial acts. Therefore, they are absolutely immune from liability arising out of plaintiff's claims and her claims against them will be dismissed.

2. Judge Kuhn's Motion to Dismiss

Like Judges O'Hair and Cahalan , Judge Kuhn is absolutely immune from liability arising out of plaintiff's claims in this case. MCLA 600.916 provides that any person who engages in the unauthorized practice of law is guilty of contempt of the circuit court of the county in which the violation occurred. Because of the testimony adduced from parties appearing before him in divorce

cases in his court, Judge Kuhn suspected that Cramer had violated this statute out of his presence and rightfully, and with jurisdiction under MCLA 600.1711 and MGCR 760, issued the show causes and the subsequent bench warrants at issue. Plaintiff's claims against Judge Kuhn are without merit and will be dismissed.

3. State Bar of Michigan and H. Rollin Allen's Motion to Dismiss or for Summary Judgment

Both the State Bar and Allen, its attorney, claim immunity from this civil rights and false arrest action by virtue of the doctrine of sovereign immunity provided by the 11th Amendment. Indeed, the Supreme Court has held that suits for damages under 42 USC 1983 against a state agency are prohibited by the 11th Amendment. Alabama v Pugh, 438 U.S. 781 (1978), Quern v Jordan, 440 U.S. 332 (1979). Furthermore, there is authority supporting the State Bar's contentions that a state bar association as an integral part of a state's judicial process or as an agency of the state, cannot be sued

under 1983. See, e.g., Coopersmith v Supreme Court, State of Colorado, 465 F 2d 993, 994 (10th Cir. 1972); Clark v State of Washington, 366 F 2d 678, 681 (9th Cir. 1966); Louis v Supreme Court of Nevada, 490 F Supp 1174, 1180 (D. Nev. 1980); Silverton v Department of Treasury, 449 F Supp 1004, 1006 (C.D. Cal. 1978). However the Court finds it unnecessary to reach the issue of whether plaintiff may maintain a 1983 suit against the State Bar of Michigan. Assuming that defendants are amenable to suit under 1983, an examination of plaintiff's complaint reveals that plaintiff has failed to state a claim against either the State Bar or Allen upon which relief can be granted.

Allen and the State Bar of Michigan are named in six paragraphs of plaintiff's complaint. In paragraphs 2.3 and 2.4, plaintiff asserts that "by the illegal conduct and instigation" of Allen, Judges O'Hair and Cahalan entered the illegal show cause orders which resulted in her arrest. In paragraph

2.8 she claims that such acts were groundless and malicious. In paragraphs 2.10, 2.11, and 2.13, plaintiff claims that unidentified acts of the State Bar of Michigan and its members were illegal, being in the absence of jurisdiction and willful, wanton and malicious.

Plaintiff's attack on the legality of the show cause orders and bench warrant issued by Judges O'Hair and Cahalan is based solely on her contention that the judges acted without jurisdiction. She makes no other claims of deprivation of due process or of other constitutional rights, e.g., inadequate notice or lack of a fair hearing. As has already been discussed at length, the judges and the State Bar and its counsel Allen acted to enforce an order of the court and a judgment in defendant's favor as permitted by Michigan law. Plaintiff has not shown that the show cause orders and bench warrant sought by the State Bar and Allen and issued by Judges Cahalan and O'Hair were issued erroneously. Plaintiff was arrested pursuant to a bench

warrant that she has not shown was invalid. Therefore her claims of false arrest and false imprisonment must fail.

Reading her complaint in its most favorable light, plaintiff's claim against Allen is that he maliciously submitted groundless applications for show cause orders to Judges O'Hair and Cahalan which resulted in her arrest. However, plaintiff has indicated that she does not seek to pursue a claim of malicious prosecution or abuse of process in this case. (Plaintiff's response to State Bar's opposition to motion for default judgment at 17). The wrongful acts plaintiff ascribes to Allen do not rise to the deprivation of constitutional rights alleged in her complaint. The Court finds that the facts alleged in plaintiff's complaint fail to state a claim against defendant Allen.

The Court likewise finds that plaintiff's complaint fails to state a claim against the State Bar of Michigan. Plaintiff merely accuses the State Bar of engaging in illegal

acts and wanton and malicious wrongdoing without identifying any specific misconduct. Such conclusory allegations cannot survive a motion to dismiss.

4. Conclusion

In conclusion, plaintiff's motion to amend her petition for removal will be denied, as will her motion for a preliminary injunction and her motion for a default judgment. The State Bar's motion for remand will be denied because the entire federal action will be dismissed for failing to state a claim. Remand to Wayne County would be pointless, since final judgment in State Bar of Michigan v Cramer was entered long ago. Defendants State Bar of Michigan, H. Rollin Allen, Judge O'Hair, Judge Cahalan, and Judge Kuhn's motions to dismiss will be granted. An appropriate order shall be submitted.

/s/ Ralph M. Freeman
United States
District Judge

Dated:
June 30, 1982
Filed July 1, 1982

APPENDIX E

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

VIRGINIA CRAMER, Civil No.

Plaintiff, 81-73926

v.

STATE BAR OF MICHIGAN, ET AL.,

Defendants.

FILED
7/7/82

/

ORDER OF DISMISSAL AS TO DEFENDANTS
JOHN D. O'HAIR AND WILLIAM LEO CAHALAN
JUDGES OF THE THIRD JUDICIAL CIRCUIT
OF THE STATE OF MICHIGAN

Being fully advised in the premises and consistent with the Opinion rendered by this Court on June 30, 1982,

IT IS HEREBY ORDERED AND ADJUDGED that Motion of the Defendants John D. O'Hair and William Leo Cahalan, Judges of the Third Judicial Circuit, State of Michigan to Dismiss is GRANTED; as to said Defendants Plaintiff's action is therefore DISMISSED.

/s/ RALPH M. FREEMAN
U.S. DIST. COURT JUDGE

Dated:
July 6, 1982
Filed July 7, 1982

APPENDIX F

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

VIRGINIA CRAMER,

Plaintiff,

v.

STATE BAR OF MICHIGAN, ET AL,

Defendants.

Civil No. 81-73926

FILED 7/12/82

JUDGMENT

This matter having come on for hearing before the Court, the Court having had benefit of argument of plaintiff, Virginia Cramer, and a Memorandum Opinion dated June 30, 1982 having heretofore been issued;

NOW, THEREFORE,

IT IS ADJUDGED that:

FIRST: This action shall be, and the same is dismissed, with prejudice, as to the STATE BAR OF MICHIGAN and M. ROLLIN ALLEN, for failure of Plaintiff to state a claim against said Defendants.

SECOND: Plaintiff's Motion to Amend Plaintiff's Petition for Removal is denied.

THIRD: Plaintiff's Motion for Prelimin-

ary Injunction is denied.

FOURTH: Plaintiff's Motion for Default Judgment is denied.

FIFTH: Defendants, STATE BAR OF MICHIGAN and H. ROLLIN ALLEN shall be entitled to recover costs from Plaintiff.

/s/ RALPH M. FREEMAN
U.S. DISTRICT JUDGE

Dated:
July 9, 1982
FILED July 12, 1982

APPENDIX G

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

VIRGINIA CRAMER, Civil No.

Plaintiff, 81-73926

V

STATE BAR OF MICHIGAN, ET AL,

Defendants.

FILED
7/20/82

ORDER OF DISMISSAL AS TO DEFENDANT, RICHARD D. KUHN JUDGE OF THE SIXTH JUDICIAL CIRCUIT (Oakland County)

Being fully advised in the premises and consistent with the June 30, 1982, Opinion of this Court:

IT IS HEREBY ORDERED that Defendant, Richard D. Kuhn's, Judge of the Sixth Judicial

Circuit, Motion to Dismiss is granted and Plaintiff's cause of action, therefore, Dismissed as to said Defendant.

/s/ RALPH M. FREEMAN
U.S. DISTRICT JUDGE

Dated:
July 20, 1982
FILED July 20, 1982

APPENDIX H

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION-DETROIT

VIRGINIA CRAMER, Civil No.

Plaintiff, 81-73926

v.

STATE BAR OF MICHIGAN,

Defendant. FILED 10/12/82

MEMORANDUM OPINION

This matter is before the Court on Plaintiff's motion for rehearing and to amend and correct the memorandum opinion of June 30, 1982 and to vacate and set aside dismissals. Rule 17(k) of the Local Rules of the United States District Court for the Eastern District of Michigan provides:

1. Time

   Any motion to alter or amend a judgment and any motion for rehearing or reconsideration shall be served not later than 10 days after entry of such judgment or order.

2. No response and no hearing allowed

   No response to the motion and no oral argument thereon shall be allowed unless the Court, after filing of the motion, otherwise directs.

3. Grounds

   Generally, and without restricting the discretion of the Court, motions for rehearing or reconsideration which merely present the same issues ruled upon by the court, either expressly or by reasonable implication, will not be granted. The movant must not only demonstrate a palpable defect by which the Court and the parties have been misled but also show that a different disposition of the case must result from a correction thereof.

After reviewing the motion and "supplemental matters to plaintiff's motion for rehearing, amendment of opinion and vaction of dismissals" filed by the plaintiff, the Court concludes that plaintiff's motion merely presents the same issues already ruled upon by the Court. The Court further concludes that plaintiff has failed to show a palpable defect by which the

Court and the parties have been misled and that a different dispostion of the case must result from a correction thereof.

Therefore, plaintiff's motion will be denied. An appropriate order shall be submitted.

/s/ RALPH M. FREEMAN
United States
District Judge

Dated:
October 8, 1982
Filed: 10/12/82

APPENDIX I

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION-DETROIT

VIRGINIA CRAMER, Civil No.

Plaintiff, 81-73926

v.

STATE BAR OF MICHIGAN,

Defendant. FILED 10/12/82

ORDER AMENDING MEMORANDUM OPINION OF JUNE 30, 1982

At a session of said Court held in the Federal Building in Detroit, Michigan this 30th day of September, 1982

PRESENT: HONORABLE RALPH M. FREEMAN
United States District Judge

It is ORDERED that the memorandum opinion in the above-styled case dated June 30, 1982 be and hereby is AMENDED by inserting the word "not" before the word "immune" on Page 6, paragraph 3, line 3.

/s/ RALPH M. FREEMAN
United States
District Judge

Entered:
10/12/82

APPENDIX J

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION-DETROIT

VIRGINIA CRAMER, Civil No.

Plaintiff, 81-73926

v.

STATE BAR OF MICHIGAN;
JOHN D. O'HAIR;
WILLIAM LEO CAHALAN;
RICHARD D. KUHN;
H. ROLLIN ALLEN, et al.

FILED
10/14/82

/

ORDER DENYING MOTION FOR REHEARING OF ORDER OF DISMISSAL OF JULY 6, 1982 AS TO DEFENDANTS JOHN D. O'HAIR AND WILLIAM LEO CAHALAN, JUDGES OF THE THIRD JUDICIAL CIRCUIT OF THE STATE OF MICHIGAN

Being fully advised in the premises and

consistent with the Memorandum Opinion rendered by this Court on October 8, 1982,

IT IS HEREBY ORDERED AND ADJUDGED that the Motion of the Plaintiff for Rehearing of the Order of Dismissal of July 6, 1982 as to Defendants John D. O'Hair and William Leo Cahalan, Judges of the Third Judicial Circuit, State of Michigan is DENIED.

/s/ Ralph M. Freeman
U. S. District Court Judge

Dated:
10/14/82

APPENDIX K

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION-DETROIT

VIRGINIA CRAMER, Plaintiff,

v.

STATE BAR OF MICHIGAN;
JOHN D. O'HAIR;
WILLIAM LEO CAHALAN;
RICHARD D. KUHN;
H. ROLLIN ALLEN, et al.

Civil No. 81-73926

FILED 10/19/82

ORDER DENYING MOTION FOR REHEARING OF ORDER OF DISMISSAL OF JULY 6, 1982 AS TO DEFENDANTS THE STATE BAR OF MICHIGAN, A PUBLIC BODY CORPORATE, H. ROLLIN ALLEN, ATTORNEY FOR THE STATE BAR OF MICHIGAN, AND ALL OTHER MEMBERS OF THE STATE BAR OF MICHIGAN SIMILARLY SITUATED JOINTLY, SEVERALLY AND/OR INDIVIDUALLY

Being fully advised in the premises and consistent with the Memorandum Opinion rendered by this Court on October 8, 1982,

IT IS HEREBY ORDERED AND ADJUDGED that the Motion of the Plaintiff for Rehearing of the Order of Dismissal of July 6, 1982 as to Defendants The State Bar of Michigan, a Public Body Corporate, H. Rollin Allen, Attorney for the State Bar of Michigan, and All Other Members of the State Bar of Michigan Similarly

Situated, Jointly, Severally and/or Individually, is DENIED.

/s/ Ralph M. Freeman
United States District
Court Judge

Dated:
10/19/82

APPENDIX L

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION-DETROIT

VIRGINIA CRAMER, Civil No.

Plaintiff, 81-73926

v.

STATE BAR OF MICHIGAN;
JOHN D. O'HAIR:
WILLIAM LEO CAHALAN;
RICHARD D. KUHN;
H. ROLLIN ALLEN, et al.

FILED
10/21/82

/

ORDER DENYING PLAINTIFF'S MOTION FOR REHEARING

Being fully advised in the premises and consistent with the Memorandum Opinion rendered by this Court on October 8, 1982;

IT IS HEREBY ORDERED that Plaintiff, Virginia Cramer's, Motion for Rehearing and to Amend and Correct the Opinion of June 30,

1982, and to Vacate and Set Aside Dismissals, is denied as to Defendant, Richard D. Kuhn, Judge of the Sixth Judicial Circuit Court of Michigan. (Oakland County)

/s/ Ralph M. Freeman
U. S. District Court Judge

Dated:
10/21/82

APPENDIX M

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION-DETROIT

VIRGINIA CRAMER
(defendant in State case)

Petitioner-Plaintiff,

VS

NO. 81-73926

FILED
Oct. 21, 1981

THE STATE BAR OF MICHIGAN, A Public Body Corporate, and JOHN D. O'HAIR, WILLIAM LEO CAHALAN, Judges of Third Judicial Circuit, State of Michigan, RICHARD D. KUHN, Judge of Sixth Judicial Circuit, State of Michigan, H. ROLLIN ALLEN, Attorney for State Bar of Michigan, and All Other Members of the State Bar of Michigan similarly situated, jointly, severally and/or individually,

Respondents-Defendants.

(continued next page)

THE STATE BAR OF MICHIGAN,
A Public Body Corporate,

Plaintiff

VS

HAROLD GRAHAM, MICHAEL GORDON, VIRGINIA CRAMER, Individually and d/b/a Gordon-Graham & Cramer Associates,

Defendants

STATE CASE NO. 72-218-571-CZ
Wayne County, 3rd Judicial Circuit

NOTICE OF REMOVAL OF STATE CASE

TO: THE STATE BAR OF MICHIGAN, A Public Body Corporate, JOHN D. O'HAIR, WILLIAM LEO CAHALAN, RICHARD D. KUHN, H. ROLLIN ALLEN, and All Others similarly situated.

PLEASE TAKE NOTICE that the above-captioned Michigan State case is hereby removed from the Michigan State courts, copy of Petition for Removal attached hereto, having been filed in the United States District Court for the Eastern District of Michigan, Southern Division-Detroit, 231 W. Lafayette, Detroit, Michigan (Federal Building) and that pursuant to 28 USC 1446 (e) the Michigan State courts shall proceed no further unless and until the State case is remanded.

FILED:

10/21/81

/s/ Virginia Cramer
Defendant, Petitioner in propria persona,
27314 Clairview,
Dearborn Hts., Mich. 48127
(313) 278-7286

APPENDIX M (continued)

PETITION FOR REMOVAL OF CAUSE (State case No. 72-218-571-CZ) TO THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN-SOUTHERN DIVISION, DETROIT

Now comes Virginia Cramer in propria persona, Petitioner, and Petitions this Honorable Court of the United States to remove State case No. 72-218-571-CZ of the Wayne County Circuit Court, State of Michigan, in which said cause your petitioner was a Defendant, as above-captioned, under which said (Wayne) No. 72-218-571-CZ proceedings occurred on June 12, 1981 and August 11, 1981, and priorly, and as hereinafter shown, as follows:

1. Defendant-Virginia Cramer incorporates by reference herein her Complaint wherein she enumerates the Federal questions involved in this matter, including the Michigan Supreme Court decision and/or opinions, Docket No. 56413, reported at 399 Mich 116-161, dated December 30, 1976, and which was not remanded for any further proceedings to the Wayne County Circuit Court No. 72-218-571-CZ from which said State case originates, and including but not

limited to specific denial of rights guaranteed by the United States Constitution, Amendments Fourth, Fifth, Sixth and Fourteenth, and denial of specific rights granted by the laws of the United States, 42 USCA 1983, 1985, 1986 and 1988, and 28 USCA 1343.

2. Petitioner-defendant Virginia Cramer further alleges that the respondents hereinnamed, by their initiation of recent and/or current proceedings have acted illegally and unlawfully, absent of due process, in violation of the limitations of the Fourteenth Amendment to the United States Constituion, without jurisdiction in specific matters as enumerated in her complaint incorporated by reference herein, and in all probability many members of the State Bar of Michigan will continue to act illegally, unlawfully and/or wrongfully unless the United States courts will grant relief to your Petitioner-Virginia Cramer.

3. That this petition for removal is founded on 28 USCA 1441 (a), (b), (c); 28 USCA 1443 (1) and (2) and 28 USCA 1446 (e), 28 USCA 1343; and 42 USCA 1983, 1985, 1986 and 1988.

4. That the State case civil action No. 72-218-571-CZ was commenced in about September 1972 (about nine (9) years ago) in which your Petitioner-Virginia Cramer was then one of the named-defendants therein, and therefrom the State case was never remanded by the Michigan Supreme Court, Docket No. 56413, reported at 399 Mich 116-161, and the matter terminated with an Order of Remittitur as a discontinuance as of January 20, 1977.

5. That the attorney for the State Bar of Michigan, Mr. H. Rollin Allen refuses to cease and desist from illegally and wrongfully initiating and pursuing unlawful proceedings in the Wayne County Circuit Court No. 72-218-571-CZ.

6. That the Wayne County Circuit Court Judges, John D. O'Hair and William Leo Cahalan have signed "Orders to Show Cause" initiated by Mr. H. Rollin Allen, in the State case No. 72-218-571-CZ in the absence of jurisdiction on February 19, 1981 and March 13, 1981.

7. That Wayne County Circuit Judge John D. O'Hair issued a warrant for the arrest of

of Virginia Cramer on April 29, 1981, in the absence of jurisdiction in the State case No. 72-218-571-CZ.

8. That on June 12, 1981, your petitioner-Virginia Cramer was arrested by the Wayne County Sheriff's deputies, in the State case No. 72-218-571-Cz, in the absence of jurisdiction.

9. That on June 12, 1981, your petitioner-Virginia Cramer was also illegally held in custody by the Wayne County Sheriff's deputies until she was illegally arrested by the Oakland County Sheriff's deputies on bench warrants issued by Oakland County Circuit Court Judge Richard D. Kuhn, in the absence of jurisdiction.

10. That on June 12, 1981 (Friday), your petitioner-Virginia Cramer was illegally detained and transported to the Oakland County Jail; she was finger-printed, deprived of her property, dehumanized and jailed and shackled, chained and handcuffed and brought before Judge Richard D. Kuhn on Monday, June 15, 1981, in the absence of jurisdiction, and then released

later on Monday, June 15, 1981.

11. That on June 17, 1981, your petitioner-Virginia Cramer was required to again be in Judge O'Hair's courtroom on August 11, 1981, in the absence of jurisdiction in the Wayne County Circuit Court No. 72-218-571-CZ.

12. That the said Judge John D. O'Hair (Wayne County Circuit Court) is bent upon a course of enforcing a so-called "Judgment for Plaintiff and Injunctive Order" which he issued on behalf of the State Bar of Michigan on January 5, 1973, but which orders nothing. (See Exhibit A, attached hereto.)

13. That the Michigan State courts, at all levels, in this matter, have denied your Petitioner-Virginia Cramer (defendant in No. 72-218-571-CZ) the equal protection of the laws in violation of the Fourth, Fifth, Sixth and Fourteenth Amendments to the United States Constitution, and in deprivation of redress of grievances and deprivation of civil rights, in deprivation of rights under the First Amendment to the United States Constitution, under color of authority of the State of Michigan, in

deprivation of equal protection of the laws, and in deprivation of due process.

14. That the said Wayne County Circuit Court Judge John D. O'Hair orally ordered on August 11, 1981, that your Petitioner-Virginia Cramer shall be jailed for thirty (30) days forthwith, in the absence of jurisdiction.

15. That your Petitioner-Virginia Cramer has reason to believe that said Judge John D. O'Hair will continue to act illegally and cause to be enforced his oral pronouncement of incarcerating your Petitioner-Virginia Cramer for thirty (30) days, and in the absence of jurisdiction in State case No. 72-218-571-CZ.

16. That pursuant to 28 USCA 1446 (e) the Michigan State courts shall proceed no further unless and until the case is remanded.

WHEREFORE Petitioner-Virginia Cramer prays that this Honorable Court remove the State case to the United States District Court.

/s/ Virginia Cramer
(Alleged Defendant)
Petitioner in propria persona

FILED
w/ Affidavit
Oct. 21, 1981

APPENDIX N

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION-DETROIT

VIRGINIA CRAMER,

Petitioner-plaintiff,

VS

THE STATE BAR OF MICHIGAN, A Public Body Corporate (not publicly owned) and JOHN D. O'HAIR, WILLIAM LEO CAHALAN, Judges of Third Judicial Circuit, State of Michigan, RICHARD D. KUHN, Judge of Sixth Judicial Circuit, State of Michigan, H. Rollin Allen, attorney for State Bar of Michigan, and All Other Members of the State Bar of Michigan similarly situated, jointly, severally and/or individually,

Defendants-Respondents.

ACTION NO. 81-73926

FILED 10/21/81

COMPLAINT FOR DECLARATORY JUDGMENT, INJUNCTIVE RELIEF, DAMAGES FOR FALSE ARREST, FALSE IMPRISONMENT, FOR INJURIES TO PERSON, PROPERTY AND BUSINESS, AND DEMAND FOR JURY TRIAL

COMES NOW Petitioner-Plaintiff Virginia Cramer in propria persona (alleged Defendant in removed State case) and complains against the above-named defendants in causes of action arising under the United States Constitution and laws of the United States by statutory provi-

sions, pursuant to the First, Fourth, Fifth, Sixth and Fourteenth Amendments to the United States Constitution and 42 USCA 1983, 1985, 1986, 1988; founded on 28 USCA 1343, 28 USCA 1443, 28 USCA 1446, among other statutory provisions, and she says as follows:

PREAMBLE

1. That in summary, the background of the State case is set forth, in part, in State Bar v Cramer, 399 Mich 116-161 involving a Do-it-yourself plan; and said case was not remanded to any other jurisdiction, dated December 30, 1976.

2. That in the interim, during the lapse of time from 1972 through the current instances in 1981, your Petitioner-Plaintiff-Virginia Cramer has been subjected to various and numerous experiences of scattered flashes of violence, of dehumanizing, humiliation, scapegoating, hasseling, harassing, victimizing, threatened acts, picked-on by thug-politics, jailed five or six times, strangled and mangled in a public elevator, harassed by telephone calls all hours of day and night, subjected to

foul and vulgar language or no-voice-breathing by callers on the telephone all hours of night, shot-gun shells on "Cramer's" front lawn of residence, intimidations with heightened tensions, ridiculed, demeaned, arrested and threatened with arrest and jailings, by members of the legal-mafia which is the secret part of the organization known as the State Bar of Michigan and operating within the State Bar of Michigan and contrary to law, and Plaintiff-Virginia Cramer complains and for her causes of action says as follows:

I. JURISDICTION

1.1 Jurisdiction is founded under 42 USCA 1983, 1985, 1986, 1988; 28 USCA 1343, et seq., deprivation of civil rights under color of law, in violation of First, Fourth, Fifth, Sixth and Fourteenth Amendments to the United States Constitution. That your federal Plaintiff-Virginia Cramer is a life-long resident of the State of Michigan.

1.2 That the defendant-State Bar of Michigan is a public body corporate within the State of

Michigan, with offices located in Lansing, Michigan and Detroit, Michigan.

1.3 That the Defendant-Judge John D. O'Hair is a member of the State Bar of Michigan and is a Judge of the State of Michigan, Third Judicial Circuit (Wayne County Circuit Court) and at all times pertinent hereto.

1.4 That the Defendant-Judge William Leo Cahalan is a member of the State Bar of Michigan and is a Judge of the State of Michigan, Third Judicial Circuit (Wayne County Circuit Court) and pertinent hereto.

1.5 That the Defendant Richard D. Kuhn is a member of the State Bar of Michigan and is a Judge of the State of Michigan, Sixth Judicial Circuit (Oakland County Circuit Court) and similarly pertinent hereto.

1.6 That the Defendant H. Rollin Allen is a member of the State Bar of Michigan and holds himself out as attorney for the State Bar of Michigan, and similarly pertinent hereto.

II. FALSE ARREST AND FALSE IMPRISONMENT

2.1 That the said Judge John D. O'Hair caused the arrest and imprisonment of Plaintiff-Virginia Cramer numerous and various times under the guise of "Judgment and Injunctive Order" dated January 5, 1973, and which said Injunctive Order actually orders nothing. (See Exhibit A, attached herein.)

2.2 That further on June 12, 1961, Defendant-Judge John D. O'Hair caused the arrest, detention, finger-printing and booking of Plaintiff-Virginia Cramer and subjected her to illegal and wrongful acts and impositions in deprivation of her civil rights and constitutional rights, in the absence of jurisdiction in Wayne Circuit Court proceedings under Case No. 72-218-571-CZ and which said case was never remanded from or by the Michigan Supreme Court, Docket No. 56413, reported at: 399 Mich 116-161, State Bar vs Cramer.

2.3 That by the illegal conduct and instigation of Defendant H. Rollin Allen, the Defendant-Judge John D. O'Hair entered an illegal

"Order to Show Cause" against Virginia Cramer on February 19, 1981. (sic, February 17, 1981)

2.4 That by the illegal conduct and instigation of Defendant H. Rollin Allen, the Defendant-Judge William Leo Cahalan entered an illegal "Order to Show Cause" against Virginia Cramer on March 13, 1981.

2.5 That by the Illegal conduct of Defendant-Judge John D. O'Hair your federal Plaintiff-Virginia Cramer was arrested and detained and illegally taken into custody and held by the Wayne County Sheriff's deputies, and where the Wayne Circuit Court Judge John D. O'Hair was without jurisdiction, on June 12, 1981.

2.6 That by the illegal conduct of Defendant-Judge John D. O'Hair on June 12, 1981, your federal Plaintiff-Virginia Cramer was again illegally and falsely arrested, taken into custody, detained and deprived of her civil rights and freedom, in violation of the Fourteenth Amendment to the United States Constitution, transported into Oakland County by

Oakland County Sheriff's deputies, and booked, fingerprinted, jailed, detained, and falsely imprisoned on June 12, 13, 14 and 15, 1981, in the Oakland County Jail under the guise of bench warrants illegally issued by Defendant-Judge Richard D. Kuhn.

2.7 That by the illegal acts of Defendant-Judge Richard D. Kuhn, in the absence of jurisdiction, said bench warrants were issued in the Oakland County Circuit Court on/or about April 9, 1975 and July 24, 1975, instigated illegally and without jurisdiction by Defendant-Judge Richard D. Kuhn.

2.8 That such illegal acts of Defendant-Judge John D. O'Hair instigated by attorney H. Rollin Allen were groundless and malicious and causing and/or accompanied by arrest and seizure of the person, your federal Plaintiff-Virginia Cramer herein.

2.9 That such illegal acts of Defendant-Judge Richard D. Kuhn were groundless and malicious and causing and/or accompanied by false arrest

and seizure and false imprisonment of the person, your federal Plaintiff-Virginia Cramer herein.

2.10 That such illegal acts in the absence of jurisdiction by the members of the State Bar of Michigan, as herein named, have caused injury to your federal Plaintiff-Virginia Cramer's business and well being and entails unusual hardship and loss of reputation and detriment to her health, constituting special damages and injuries as suffered by Plaintiff-Virginia Cramer.

2.11 That the illegal, willful, wanton and malicious acts and wrongdoings of the members of the State Bar of Michigan are inflicted upon your federal Plaintiff-Virginia Cramer in the absence of probable cause.

2.12 That the illegal, willful, wanton and malicious acts and wrongdoings of Defendant-Judge Richard D. Kuhn, a member of the State Bar of Michigan, were effected and executed

in the absence of jurisdiction and without probable cause.

2.13 That all of the illegal, willful, wanton and malicious acts and wrongdoings of the members of the State Bar of Michigan have been committed and effected on behalf of themselves and in the absence of a valid complaining witness or real party in interest.

2.14 That under date of February 24, 1976 your federal Plaintiff-Virginia Cramer wrote to Judge Richard D. Kuhn, Sheriff Johannes Spreen and Prosecutor Brooks Paterson, all Oakland County officials and requested that the invalid bench warrants pending against Virginia Cramer be recalled, and however, her request was obviously ignored. (See Exhibit B, attached hereto.)

2.15 That the said invalid bench warrants issued by Defendant-Judge Richard D. Kuhn, in the absence of jurisdiction, remained as a lien on your federal Plaintiff-Virginia Cramer's vehicle operating license from April 9, 1975

through and including June 12, 1981, the day of illegal arrest.

2.16 That during the said false imprisonment on said June 12, 13, 14 and 15, 1981, your federal Plaintiff-Virginia Cramer suffered from nausea and headaches, was rudely treated and unreasonably hassled by jail-attendants and deprived of medical attention and personal needs and while required to sleep on the floor because of her illness while illegally and falsely imprisoned.

2.17 That your federal Plaintiff-Virginia Cramer was subjected to abuse, mental and physical torment, mental humiliation, in the absence of any charges against her, in the absence of a complaining witness, in the absence of issuance of summons, in the absence of probable cause, and in the absence of any cause of action in the Oakland County Circuit Court, but by the willful and wanton, malicious meddling of Defendant-Judge Richard D. Kuhn, in the absence of jurisdiction, and without any justification.

2.18 That your federal Plaintiff-Virginia Cramer has never submitted voluntarily to the jurisdiction of the Oakland County Circuit Court.

2.19 That during the dates of June 12, 13, 14 and 15, 1981, Plaintiff-Virginia Cramer was fingerprinted, treated like a criminal, mugged, chained, shackled and handcuffed and suffered severe physical discomfort, mental humiliation and anguish; that the memory of said false arrest and false imprisonment has caused her loss of sleep, extreme nervousness and mental distress.

III. CAUSE OF ACTION AND FEDERAL INTERVENTION

3.1 That on October 6, 1981, your federal Plaintiff-Virginia Cramer was again threatened with jailing for thirty (30) days and whereby it appears to be contemplated that Defendant-Judge John D. O'Hair is to enforce an injunctive order which orders nothing. (See Exhibit A, and see Exhibit D, attached hereto.)

3.2 That Exhibit D, attached hereto, is instigated by attorney H. Rollin Allen and is

a proposed Judgment to jail Virginia Cramer for thirty (30) days commencing October 30, 1981, to enforce the prior so-called "injunctive order" of January 5, 1973, which actually orders nothing. (See Exhibit A, attached hereto.)

3.3 That your federal Plaintiff-Virginia Cramer has not submitted to the jurisdiction of the Wayne County Circuit Court; that the Wayne County Circuit Court is without jurisdiction in the absence of a remand in 399 Mich 116, Docket No. 56413, in the Michigan Supreme Court.

3.4 That the Wayne County Circuit Court was without jurisdiction on March 13, 1981, to issue said "Order to Show Cause" in the State case No. 72-218-571-CZ; that the Wayne County Circuit Court was without jurisdiction on April 29, 1981, to issue a bench warrant for the arrest of Virginia Cramer.

3.5 That the Wayne County Circuit Court was without jurisdiction on June 12, 1981 to arrest

and detain and book Virginia Cramer; that the Oakland County Circuit Court was without jurisdiction to arrest, detain, book, and imprison said Virginia Cramer.

3.6 That some of the members of the State Bar of Michigan will continue and persist in acting illegally unless they are restrained and enjoined and pay the consequences for acting illegally.

3.7 That 42 USCA 1983 provides as follows:

> "Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress."

3.8 That 42 USCA 1985, et seq., provides for recovery of damages occasioned by injury or deprivation, against any one or more of the conspirators in conspiracy to interfere with civil rights, obstructing, or defeating, in any manner, the due course of justice, with

intent to deny the equal protection of the laws, or to injure any citizen or his property for lawfully enforcing, or attempting to enforce the right of any person to the equal protection of the laws.

3.9 That 28 USCA 1443 provides for removal of civil rights cases, civil actions, to the district court of the United States, commenced in a State court where it is pending:

> "(1) Against any person who is denied or cannot enforce in the court of such State a right under any law providing for the equal civil rights of citizens of the United States, * * * .
>
> "(2) For any act under color of authority derived from any law providing for equal rights, or for refusing to do any act on the ground that it would be inconsistent with such law."

3.10 That 28 USCA 1343, provides for original jurisdiction of any civil action authorized by law to be commenced by any person:

> "(1) To recover damages for injury to his person or property, or because of the deprivation of any right or privilege of a citizen of the United States, by any act done in furtherance of any conspiracy mentioned in Section 1985 of Title 42; * * * for redress of deprivation, under color of any State law, statute, ordinance

> regulation, custom or usage, of any right, privilege or immunity secured by the Constitution of the United States or by any Act of Congress providing for equal rights of citizens or of all persons * * * ."

3.11 That the Fourth Amendment to the United States Constitution prohibits illegal searches and seizures; prohibits issuance of warrants without probable cause, together with Michigan Constitution of 1963, Article I, Section 11, prohibiting illegal arrests and false arrests and imprisonments.

IV. RELIEF

4.1 That this Honorable court has jurisdiction to issue an immediate "Order to Show Cause With Temporary Enjoining Order" and pending a proper hearing in the matter, and that your federal Plaintiff-Virginia Cramer requests:

A. That the members of the State Bar of Michigan, as applied, the said Defendants, their agents, representatives, employees and attorneys, be required to show cause before this United States District Court why they should not be preliminarily and permanently

restrained and enjoined from:

1. Harassing, hasseling, annoying, molesting and/or otherwise interferring and/or meddling with the trade and business of persons exercising their constitutional right of self-help and self-representation;

2. Denying and/or preventing access to information, forms, instructions, documents, typewriting assistance, filing assistance and services to individuals seeking to exercise their guaranteed constitutional right of self-representation in the courts of the State of Michigan;

3. Initiating or attempting to initiate and/or assisting to initiate any proceedings against Plaintiff-Virginia Cramer in the absence of a complaining witness, in the absence of probable cause, and/or in the absence of jurisdiction and/or in the absence of real party in interest;

4. Harassing, hasseling, annoying or molesting any members of the general public utilizing services of the trade and business of Virginia Cramer, Plaintiff herein;

5. Engaging and/or assisting in engaging in a plot to prevent, interfere with, restrict or preclude the proper effectiveness in the aid of administration of justice;

6. Engaging and/or assisting in engaging in a plot and/or conspiracy against or interferring with the trade or business of enabling persons of the general public to exercise self-representation;

7. Engaging in other conduct or misconduct contrary to the primary best interests and protection of the general public with regard to self-help and self-representation and services therefor;

8. Enforcing or attempting to enforce a judgment or Order which orders nothing.

4.2 That your federal Plaintiff-Virginia Cramer be issued a preliminary and/or permanent Judgment and Injunctive Order against the State Bar of Michigan and its applicable members as h[illegible]n prayed for.

4.3 That a jury trial be had as to all issues

so triable by jury for the general special, exemplary and punitive damages as warranted and justified in this cause of action and that your federal Plaintiff-Virginia Cramer be awarded the sum of ONE HUNDRED THOUSAND DOLLARS ($100,000.00) for damages to be assessed against the State Bar of Michigan and its members as applicable.

WHEREFORE your federal Plaintiff prays that this Honorable court:

A. Issue an immediate "Order to Show Cause as prayed in Plaintiff's motion submitted hereto.

B. Grant such other and further relief as may be consistent with the good conscience of the Court.

C. Assess defendants with costs and damages as applicable and award such damages and/or such other relief to Plaintiff upon a proper hearing and trial of the cause. (Jury trial demanded.)

FILED
10/21/81
w/Affidavit
w/Summons issued
and All Defendants
personally served.

/s/ VIRGINIA CRAMER, Plaintiff
In Pro Per
27314 Clairview
Dearborn Hts., Mich 48127
(313) 278-7286

APPENDIX O

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION-DETROIT

VIRGINIA CRAMER, NO. 81 73926

Petitioner-Plaintiff
VS

Dated:
1/8/82

STATE BAR OF MICHIGAN;
et al

Respondents-Defendants.

FIIED
1/15/82

NOTICE OF HEARING
NOTICE OF MOTION TO AMEND PETITION FOR REMOVAL OF STATE CASE (WCCC 72-218-571-CZ)

AFFIDAVIT
BRIEF IN SUPPORT OF MOTION TO AMEND PETITION FOR REMOVAL

TO: THE ABOVE-NAMED STATE BAR OF MICHIGAN and its alleged attorney-H. Rollin Allen, 1565 City National Bank Bldg., Detroit, Michigan 48226

PLEASE TAKE NOTICE that upon the hearing of the motion to remand said cause, alleged Defendant Virginia Cramer will ask leave of court to amend her petition for removal to incorporate her denials of the allegations in Plaintiff-State Bar of Michigan's motions for Order to Show Cause, and further that the State court lacked jurisdiction to issue such Orders to Show Cause and further, lacked jurisdiction

in the State court to issue warrants for the arrest of alleged Defendant-Virginia Cramer and/or in the alternative, and more specifically, that grounds for removal are that State action is involved, as more fully shown in the attached copies of Wayne County Circuit Court and Michigan appellate courts' documents, pertinent and listed herein as follows:

1. Docket No. 56412, Michigan Supreme Court DENIED leave to appeal prior to decision by the Court of Appeals; Ordered to admit defendant-Cramer to bail pending determination of her appeal before the Court of Appeals or until further order of the Court of Appeals. Dated: November 6, 1974.

2. Docket No. 21921, Michigan Court of Appeals (L.C. 72-218-571-CZ) granting plaintiff-appellee's motion to restrain appellant from violating the lower court injunction, dated December 3, 1974. No opposition filed.

3. Docket No. 21921, Michigan Court of Appeals (Wayne County Circuit Court #72-218-571-CZ,

dated May 29, 1975:

(Previously ordered remanded to Wayne County Circuit Judge John D. O'Hair for evidentiary hearing; hearing held on March 31, 1975, Wayne Circuit Court)

Ordered by Michigan Court of Appeals to transmit evidentiary matters to Michigan Supreme Court.

4. Docket No. 56413, Michigan Supreme Court GRANTED reconsideration of application for leave to appeal prior to decision of Court of Appeals in the matter of State Bar of Michigan v Virginia Cramer, Court of Appeals No. 21921, 19075 and 16168 (effecting Wayne County Circuit Court #72-218-571-CZ, dated June 5, 1975.)

5. See, decision and opinion of Michigan Supreme Court, dated December 30, 1976, reported at 399 Mich 116-161. NOT REMANDED to any other jurisdiction. Docket No. 56413.

6. Remittitur of Michigan Supreme Court, Docket No. 56413, entered December 30, 1976. NOT REMANDED to any other jurisdiction.

7. Wayne County Circuit Court, No. 72-218-571-CZ, Motion for Entry of an Order to Show Cause (ex parte) dated February 19, 1981, filed by H. Rollin Allen.

8. Wayne County Circuit Court, No. 72-218-571-CZ, ex parte Order to Show cause, signed by Judge John D. O'Hair, February 19, 1981.

9. Wayne County Circuit Court, No. 72-218-571-CZ, ex parte Motion for Entry of an Order to Show Cause and Order to Show Cause, filed and presented by H. Rollin Allen; ex parte Order to Show Cause signed by Judge William Leo Cahalan, March 13, 1981.

10. Copy of Wayne County Circuit Court ex parte "Order to Show Cause" entered on March 13, 1981, stamped with name of Judge John D. O'Hair (same Order as the Original ex parte order signed by Judge William Leo Cahalan).

11. Wayne County Circuit Court, No. 72-218-571-CZ, Warrant for the arrest of Virginia Cramer, signed by Judge John D. O'Hair on April 29, 1981.

12. Transcript of Wayne Circuit Court, No. 72-218-571-CZ, proceedings had before Judge John D. O'Hair, June 5, 1981.

13. Wayne County Circuit Court, No. 72-218-571-CZ, "Order for Bond" signed by Judge John D. O'Hair, June 5, 1981.

14. Transcript of Wayne County Circuit Court, No. 72-218-571-CZ, proceedings had before Judge John D. O'Hair, June 12, 1981, Virginia Cramer arrested.

15. Transcript of Wayne County Circuit Court, No. 72-218-571-CZ, proceedings had before Judge John D. O'Hair, June 17, 1981.

16. No. 72-218-571-CZ, Amended Motion for Entry of an Order to Show Cause, filed by H. Rollin Allen (date unknown). No response filed by "Cramer".

17. Praecipe, Motion to Quash Service of Process, Special and Limited Appearance in Propria Persona, Notice to the Plaintiffs (retroactive to December 30, 1976), Brief in

Support of Motion to Quash Service, Notice of Hearing and Proof of Service, filed, July 13, 1981, styled as follows:

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

THE STATE BAR OF MICHIGAN, a Public Body Corporate, and Wayne Circuit Court Judge John D. O'Hair, Wayne Circuit Court Judge William Leo Cahalan, H. Rollin Allen, Members of the State Bar of Michigan, et al,

Plaintiffs

VS

VIRGINIA CRAMER (no case pending in Wayne Circuit Court No. 72-218-571-CZ, without a remand by the Michigan Supreme Court)

Civil Action 72-218-571-CZ

(See attached copies, herein) Original Record

18. Letter from Judge John D. O'Hair, dated July 21, 1981. "Motion to Quash Service of Process" denied.

19. Wayne County Circuit Court, No. 72-218-571-CZ, "Order for Return of $1,000.00 cash bond deposited by Defendant" filed and signed by Judge John D. O'Hair, August 11, 1981.

20. Proposed "Judgment" submitted for entry in the Wayne County Circuit Court, No. 72-218-571-CZ, for signature of Judge John D. O'Hair, ordering "Cramer" to pay monies to witness-William W. Neville who sought no such relief from the Wayne County Circuit Court; further, if "Cramer" fails to pay said monies she is to be jailed in the Wayne County Jail. Also, see Letter by H. Rollin Allen, dated October 5, 1981.

21. See, affidavit of William W. Neville, filed in No. 81-73926, November 13, 1981, confirming that he sought no monies from "Cramer" and sought no relief from the Wayne County Circuit Court, and that H. Rollin Allen was unauthorized to represent William W. Neville-witness.

22. Removal of State case, filed October 21, 1981, together with New Complaint with some new and different parties, Summons issued. All new federal-defendants personally served.

BRIEF IN SUPPORT OF "REMOVAL"

STATEMENT OF THE CASE

The Michigan Supreme Court decided the matter of State Bar v Cramer on December 30, 1976 and issued a remittitur discontinuing the litigation on January 20, 1977. There was no remand to any other jurisdiction. This case is reported at 399 Mich 116-161.

On/or about February 17 or 19, 1981, attorney H. Rollin Allen on behalf of the State Bar of Michigan filed an ex parte motion for order to show cause in the Wayne County Circuit Court, No. 72-218-571-CZ (the same original case which was terminated, as above, in the Michigan Supreme Court by remittitur (without any remand) on January 20, 1977) An ex parte "Order to Show Cause" against Virginia Cramer was forthwith issued by (Wayne) Judge John D. O'Hair, but Virginia Cramer was not served and she was not evading service; she had no knowledge of the ex parte motion initiated by Mr. H. Rollin Allen.

On/or about March 13, 1981, attorney H.

Rollin Allen again filed an ex parte motion for order to show cause against Virginia Cramer and forthwith on March 13, 1981, an ex parte "Order to Show Cause" was issued and signed by (Wayne) Judge William Leo Cahalan, case No. 72-218-571-CZ (terminated in the Michigan Supreme Court on January 20, 1977, as above-shown). The alleged "Defendant-Cramer" was served with the second ex parte "Order to Show Cause" issued March 13, 1981, and attempted to reach Mr. H. Rollin Allen numerous times but he failed and neglected to respond to "Cramer's" messages. "Cramer" did not appear in the Wayne Circuit Court on April 24, 1981, the date set for"showing cause" of whatever. On April 29, 1981, (Wayne) Judge John D. O'Hair issued a warrant for the arrest of Virginia Cramer. Virginia Cramer was arrested on June 12, 1981.

The ex parte "Order to Show Cause" and an Amended motion for Order to Show Cause are still pending in the Wayne County Circuit Court, No. 72-218-571-CZ. Jurisdiction in the Wayne County Circuit Court is not waived.

Upon being arrested by the Wayne County Sheriff's office on June 12, 1981 "Cramer" was required to post $1,000.00 cash bond for her release, or be jailed. "Cramer" posted said bond, but she was not released; she was held in custody and detained for several hours and then transferred into the custody of the Oakland County Sheriff's deputies (in Wayne County), and then, she was transported from the Wayne County Jail by the Oakland County Sheriff's deputies to the Oakland County Jail, where she was incarcerated on June 12, 13, 14 and 15, 1981, on two (2) warrants for her arrest, issued by Oakland County Circuit Court Judge Richard D. Kuhn, Cases No. 74-114277 and 75-121954.

"Cramer" was never served with process as to the three (3) warrants (Wayne) No. 72-218-571-CZ; (Oakland) 74-114277 and 75-121954. No summons was issued; no complaints and no amended allegations were made against Cramer.

The "removal" action of the State case pending in the Wayne County Circuit Court together with "Cramer's" new complaint filed

in the federal district court adds the Judges John D. O'Hair, William Leo Cahalan and Richard D. Kuhn as well as adding H. Rollin Allen, jointly, severally and/or individually.

The Wayne County Circuit Court is without jurisdiction and had no power to adjudicate at all.

The Oakland County Circuit Court is without jurisdiction and had no power to adjudicate at all.

The courts without jurisdiction also have no jurisdiction to make error. Where the State circuit courts have no jurisdiction the State appellate courts acquire no jurisdiction.

Petitioner-Cramer's only remedy is in the federal court, and removal of the State matter (pending) and supplemental proceedings that, in fact, involve independent controversy with new and different parties may be removed into the federal court.

Where removal of a State case is purely statutory, the Federal court has a wide discretionary area in which to permit the removal.

The distinctions may be drawn in actions in which the only ground for removal is the defense that the "alleged defendant" could not constitutionally be subject to the process of the courts of the State. In the State cases (above-shown) there are no complaining witnesses against the said Virginia Cramer. No summons was issued. No complaints were filed. There was no amended complaint adding Virginia Cramer to any suit. No service of process was made upon Virginia Cramer. The basis of jurisdiction contemplated by the provisions of state statutes and Michigan General Court Rules is binding upon the defendant in personam only if said defendant has received notice by service of process as provided in MGCR 1963, 105.1 through 105.9. None of these requirements for a binding jurisdiction upon "defendant" Cramer in personam were met or even attempted.

Further, another distinction may be drawn where these supplemental proceedings of false arrest and false imprisonment, among other causes of action, involve independent contro-

versies with the adding of new and different parties. Buford & Co. v Strother & Conklin, CCD Iowa 1881, 10 F 406, 407.

The addition of new and different parties and supplemental causes of action constitute "state action" involvements and an undue exertion of power prohibitive and violative of the limitations provisions of the equal protection clause of the Fourteenth Amendment of the United States Constitution and where also the due process provisions were ruthlessly violated.

As to the ex parte "Order to Show Cause" issued in the Wayne County Circuit Court (pending) in No. 72-218-571-CZ, an individual cannot be personally bound by processes in a court which had no jurisdiction over him. Hadad v Lewis (DC 1974) 382 F Supp 1365. A court without jurisdiction has no power to adjudicate at all. Buczkowski v Buczkowski (1958) 351 Mich 216, 88 NW 2d 416.

In re Henry (an attorney), (1971) 32 Mich App 654, 189 NW 2d 96, the court held, "The compelling reason a court may not invoke

summary proceedings and punish for contempt one who fails to appear in court when required is that the reasons for the absence of such person may not be within the personal knowledge of the judge. Another important reason is that under such circumstances immediate punishment is not absolutely essential to preserve the power and dignity of the court nor to prevent then and there an abuse of the court's orders. Immediate punishment is not necessary to quell a disturbance, nor to prevent then and there an instant obstruction or interference with the orderly administration of justice. It is only when such narrow instances have occurred and even then only under the very eye and face of the Court that the due process of law requirements must yield so as to permit the court to invoke its summary contempt powers."

(See MGCR 908, Attorneys and counselors are officers of the courts of this State and as such are subject to the summary jurisdiction of such courts.)

"Cramer" is not an attorney or counselor.

> "In all other cases due process of law requires that one charged with contempt be advised of the charges against him, be afforded a hearing on those charges, and thereby have a reasonable opportunity to meet the charges by defense or explanation." In re Henry, supra.

Further, the grounds for "removal", i.e., False Arrest and False Imprisonment (42 USCA 1983, et seq., civil rights and "State action", among others) inhere in Petitioner-plaintiff-Cramer's claim, rather than in a defense or counterclaim.

WHEREFORE Petitioner-plaintiff-Cramer prays that this Honorable federal court will permit the "removal" of the State case No. 72-218-571-CZ (Wayne Circuit Court).

/s/ Virginia Cramer, In Pro Per
Petitioner-plaintiff and
alleged defendant in the
State case.

Dated:
Jan. 8, 1982

APPENDIX P

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION-DETROIT

NO. 81 73926

RETURN ON SERVICE OF WRIT FILED 11/6/81

I hereby certify and return, that on the 21st day of October 1981, I received this summons and served it together with the complaint herein as follows:

State of Michigan)
County of Wayne) ss.

SHERIFF'S RETURN

I DO HEREBY CERTIFY AND RETURN, that on the 22nd day of October A.D. 1981, at Detroit, in said County, I served a true copy of SUMMONS, COMPLAINT, MOTION, NOTICE OF REMOVAL upon H. Rollin Allen the defendant therein named, by then and there delivering to said defendant a true copy of the said documents.

WILLIAM LUCAS, Sheriff of
Wayne County

By /s/ Hezzie Morgan, Jr.
Deputy Sheriff

Dated:
10/26/81

APPENDIX Q

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION-DETROIT

VIRGINIA CRAMER,

Petitioner-Plaintiff,

NO. 81-73926

VS

THE STATE BAR OF MICHIGAN; JOHN D. O'HAIR; WILLIAM LEO CAHALAN; H. ROLLIN ALLEN; et al.

Respondents-Defendants.

FILED
11/13/81

REQUEST FOR CLERK'S ENTRY OF DEFAULT
(of Defendant-H. Rollin Allen, individually)

ENTRY OF DEFAULT

It appearing that the defendant H. Rollin Allen, individually, is in default for failure to plead or other wise defend as required by law as to the Complaint filed on October 21, 1981, and served on said Defendant H. Rollin Allen on October 22, 1981;

Default is hereby entered as against the said Defendant H. Rollin Allen, individually, this 13th day of November, 1981.

FILED
11/13/81

/s/ SARA F. FISCHER, Clerk

APPENDIX Q (continued) NO. 81 73926

TO: THE CLERK, United States District Court
for the Eastern District of Michigan -
Southern Division - Main floor -
Federal Building, Detroit, Michigan

Please enter the default of Defendant H. Rollin Allen, individually, herein, pursuant to Rule 55 (a) of the Federal Rules of Civil Procedure for his failure to plead or otherwise defend as to the Complaint served upon him on October 22, 1981 as appears from the attached affidavit.

/s/ Virginia Cramer
Plaintiff-petitioner
In Pro Per

Dated:
11/13/81

AFFIDAVIT OF FAILURE TO PLEAD OR OTHERWISE DEFEND IN SUPPORT OF APPLICATION FOR ENTRY OF DEFAULT
(Defendant-H. Rollin Allen, individually)

81-73926

Virginia Cramer, being duly sworn, deposes and says:

1. That she is the Petitioner-Plaintiff in propria persona and has personal knowledge of the facts set forth in this affidavit.

2. That the plaintiff herein, on the 21st day of October, 1981, filed in this cause her

complaint against the defendants herein.

3. That examination of the court files and record in this cause shows that the Defendant H. Rollin Allen, individually, was served by the Wayne County Sheriff - Civil Division with a copy of summons, together with a copy of plaintiff's complaint, on the 22nd day of October, 1981. (photocopy of "Return of Service" attached hereto.)

4. That more than 20 days have elapsed since the date on which the said Defendant H. Rollin Allen individually was served with summons and a copy of the complaint, excluding the date of service.

5. That the defendant H. Rollin Allen, individually, herein has failed to answer or otherwise defend as to plaintiff's complaint, or serve a copy of any answer or other defense as to said complaint which he might have had, upon the Plaintiff Virginia Cramer in propria persona.

6. That this affidavit is executed by affiant herein in accordance with Rule No. 55 of the Federal Rules of Civil Procedure, for

the purpose of enabling the Plaintiff herein to obtain an entry of default against the Defendant H. Rollin Allen, individually, for his failure to answer or otherwise defend as to the plaintiff's complaint.

/s/ Virginia Cramer, affiant
Plaintiff in propria persona

Short jurat
Dated 11/13/81

APPENDIX R

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION-DETROIT

VIRGINIA CRAMER, Civil Action

Petitioner-Plaintiff, 81-73926

VS

THE STATE BAR OF MICHIGAN, a Public Body Corporate, JOHN D. O'HAIR; WILLIAM LEO CAHALAN; RICHARD D. KUHN; H. ROLLIN ALLEN; All Other Members of the State Bar of Michigan similarly situated;

FILED
1/22/82

Defendants-Respondents.

MOTION FOR JUDGMENT BY DEFAULT BY THE COURT

COMES NOW Virginia Cramer, Petitioner-plaintiff, in propria persona, in the above-entitled cause, and moves this court for a

judgment by default in the above-entitled cause, and shows that the complaint in the above cause was filed in this court on the 21st day of October, 1981; the summons and complaint were duly served on the defendant, H. Rollin Allen, on the 22nd day of October, 1981; that no answer or other defense has been filed by the said defendant individually; that H. Rollin Allen should not be permitted to proceed in this Court pursuant to Federal Rules of Civil Procedure 54 (c) and 55 (a), (b) (2) and (c).

That default was entered in the civil docket in the office of the clerk of this court on the 13th day of November, 1981; that the proceedings taken by the said defendant H. Rollin Allen since the default was entered are highly irregular and improper and not in accordance with court rules of this court; that Mr. H. Rollin Allen improperly added his individual signature to the pleading on behalf of the State Bar of Michigan while having affixed his signature as also the attorney for the State Bar of Michigan;

That where the individual H. Rollin Allen is in default for failure to plead and defend pursuant to court rules, it cannot be properly accepted that said individual may tack himself onto other pleadings on behalf of his "client" the State Bar of Michigan; and the Court should not permit such deceptive and irregular occurance which would be contrary to court rules.

Further, in the pleading submitted by defendant-attorney H. Rollin Allen on behalf of his "client" State Bar of Michigan, while improperly tacking his individual-self onto said pleading after the Default was entered, claims only the defense of "immunity", for both himself individually and his "client" State Bar of Michigan, which is an invalid defense (which said pleading was received by "Cramer" on November 18, 1981) and interposed the problem of whether the pleading as such required any reply by "Cramer" your petitioner-plaintiff, and further highly improper by H. Rollin Allen in that it is obvious that he

seeks to relitigate the State case matters which are res judicata by the decision entered in the Michigan Supreme Court on December 30, 1976, reported at 399 Mich 116-161.

The individual-defendant-attorney H. Rollin Allen further has failed and neglected, in accordance with court rules, to file any pleading showing excusable neglect and/or a meritorious defense as good cause. The only defense claimed by H. Rollin Allen-individual-defendant is "immunity" which is invalid and he cites no law to support such "immunity" defense, and which fails to fall within the purview of a meritorious defense, in the federal court.

That instead of answering to petitioner-plaintiff's complaint which alleges, among other things, false arrest and false imprisonment in the absence of due process, in the absence of equal protection of the laws, by "State action" involved, in the absence of jurisdiction in the State case, and by conspiratorial and invidiously discriminatory process, conduct and misconduct, H. Rollin

Allen-individually and by his client-State Bar of Michigan seeks to relitigate under the State case (Wayne) No. 72-218-571-CZ, in the State lower court where said lower court was without any jurisdiction, as of January 20, 1977 and therefrom, to consider an ex parte motion for order to show cause against "Cramer" and where the case was terminated in the Michigan Supreme Court without any remand by the State high court to any court below.

WHEREFORE, your petitioner-plaintiff-Cramer moves that this Honorable Court make and enter a judgment in accordance with the relief sought by plaintiff-Cramer as follows:

A. Issue an injunctive order against Defendant-attorney H. Rollin Allen individually and all other members of the State Bar of Michigan similarly situated, their agents, representatives, employees and attorneys, permanently restraining and enjoining them from:

1. Harassing, hasseling, annoying, molesting and/or otherwise interferring and/or meddling with the trade and business of persons exercising their constitutional right of self-

help and self-representations;

2. Denying and/or preventing access to information, forms, instructions, documents, typewriting assistance, filing assistance and services to individuals seeking to exercise their guaranteed constitutional right of self-representation in the courts of the State of Michigan;

3. Initiating or attempting to initiate and/or assisting to initiate any proceedings against Plaintiff-Virginia Cramer in the absence of a complaining witness, in the absence of probable cause, and/or in the absence of jurisdiction and/or in the absence of real party in interest;

4. Harassing, hasseling, annoying or molesting any members of the general public utilizing services of the trade and business of Virginia Cramer, Plaintiff herein;

5. Engaging and/or assisting in engaging in a plot to prevent, interfere with, restrict or preclude the proper effectiveness in the aid of administration of justice;

6. Engaging and/or assiting in engaging in a plot and/or conspiracy against or interferring with the trade or business of enabling persons of the general public to exercise self-representation;

7. Engaging in other conduct or misconduct contrary to the primary best interests and protection of the general public with regard to self-help and self-representation and services therefor;

8. Enforcing or attempting to enforce a judgment or Order which orders nothing.

A. That your federal Plaintiff-Virginia Cramer be issued a preliminary and/or permanent Judgment and Injunctive Order against the State Bar of Michigan and its applicable members as prayed for in her Complaint.

B. That the Court enter its Declaratory Judgment definitive of "state action" and that "state action" is involved and prohibited within the meaning of the limitations of the equal protection clause of the Fourteenth Amendment to the United States Constitution

where individual or group is actually official arm of state and where individual action is forced or commanded by the State in denying access to the Courts unless individuals hire lawyers or attorneys, and that "state action" is prohibited where private discrimination is encouraged by the State policy of requiring individuals to hire lawyers or attorneys in any proceedings under law and regulations of the State, conspiratorially or otherwise.

C. That a jury trial be had as to all issues so triable by jury for the general, special, exemplary and punitive damages as warranted and justified in this cause of action and that your federal Plaintiff-Virginia Cramer be awarded the sum of ONE HUNDRED THOUSAND ($100,000.00) DOLLARS for damages to be assessed against the individual-defendant-H. Rollin Allen and/or other members of the State Bar of Michigan similarly situated.

D. Grant such other and further relief as may be consistent with the good conscience of the court.

/s/ Virginia Cramer, Plaintiff
In Pro Per

Dated:
Jan 21, 1982